1 2 3 4	PILLSBURY WINTHROP SHAW PITTMAN I DAVID M. FURBUSH # 83447 2475 Hanover Street Palo Alto, CA 94304-1114 Telephone: (650) 233-4500 Facsimile: (650) 233-4545 david.furbush@pillsburylaw.com	LLP			
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11	UNITED STATES DISTRICT COURT				
12	NORTHERN DISTRICT OF CALIFORNIA				
13 14	SAN JOSE DIVISION				
115 116 117 118 119 220 221 222	JOEL KRIEGER, Individually and on Behalf) of All Others Similarly Situated, Plaintiff, vs. ATHEROS COMMUNICATIONS, INC., DR. WILLY C. SHIH, DR. TERESA H. MENG, DR. CRAIG H. BARRATT, ANDREW S. RAPPAPORT, DAN A. ARTUSI, CHARLES E. HARRIS, MARSHALL L. MOHR, CHRISTINE KING, QUALCOMM INCORPORATED, AND T MERGER SUB, INC. Defendants.	No. 5:11-CV-00640-LHK CLASS ACTION STIPULATION AND [PROPOSED] ORDER FOR DISMISSAL OF ACTION Judge: Hon. Lucy H. Koh Date Action Filed: February 10, 2011			
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1	11 IS HEREBY STIPULATED, by and between plaintiff Joel Krieger ("Plaintiff")			
2	and defendants Atheros Communications, Inc. ("Atheros"), Craig H. Barratt, Willy C. Shih			
3	Andrew S. Rappaport, Daniel A. Artusi, Charles E. Harris, Marshall L. Mohr, Christine			
4	King, Teresa H. Meng, Qualcomm Incorporated ("Qualcomm"), and T Merger Sub, Inc.			
5	(collectively, "Defendants"), through their respective counsel of record, as follows:			
6	WHEREAS, on February 10, 2011, Plaintiff, individually and on behalf of all others			
7	similarly situated, filed a Class Action Complaint for Breach of Fiduciary Duty and			
8	Individual Claims for Violation Of Sections 14(a) and (e) and 20(a) of the Securities			
9	Exchange Act 1934, challenging the proposed acquisition of Atheros by Qualcomm and			
10	disclosures relating thereto;			
11	WHEREAS, on June 30, 2011, Plaintiff, individually and on behalf of all others			
12	similarly situated, filed a First Amended Class Action Complaint for Violations of Sections			
13	14(a) and 20(a) of the Securities Exchange Act of 1934;			
14	WHEREAS, by order dated December 12, 2011, the Court appointed Plaintiff as the			
15	lead plaintiff in this action and approved Plaintiff's selection of Faruqi & Faruqi, LLP as			
16	lead counsel;			
17	WHEREAS, by order dated May 29, 2012, the Court granted Defendants' motions			
18	to dismiss the First Amended Complaint, dismissing Plaintiff's equitable claim for			
19	attorneys' fees and expenses with prejudice, dismissing Plaintiff's claims under Section			
20	14(a) and 20(a) of the Securities Exchange Act without prejudice, and granting leave to			
21	Plaintiff to file an amended complaint that addresses the pleading deficiencies identified in			
22	the order by June 21, 2012;			
23	WHEREAS, after considering the May 29, 2012 order Plaintiff and his counsel have			
24	determined not to file an amended complaint;			
25	WHEREAS, the parties to this action have determined that dismissal of this action			
26	with prejudice is appropriate at this time with each side to bear its own fees and costs.			
27	NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and			
28	between the undersigned counsel, subject to approval of the Court, as follows:			

1	1. This action shall be dismissed with prejudice.			
2	2.	Each party shall bear their own fees and costs.		
3	Dated: June	12, 2012	FARUQI & FARUQI, LLP DAVID E. BOWER	
5			10866 Wilshire Boulevard, Suite 1470 Los Angeles, CA 90024	
6			D //D HED	
7			By /s/ David E. Bower Attorneys for Lead Plaintiff Joel Krieger	
8 9	Dated: June 1	12, 2012	PILLSBURY WINTHROP SHAW PITTMAN LLP DAVID M. FURBUSH 2475 Hanover Street	
10			Palo Alto, CA 94304-1114	
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12			By /s/ David M. Furbush Attorneys for Defendants Atheros	
13			Communications, Inc., Craig H. Barratt, Willy C. Shih, Andrew S.Rappaport,	
14			Daniel A. Artusi, Charles E. Harris, Marshall L. Mohr, Christine King, and	
15			Teresa H. Meng	
16	Dated: June 1	12, 2012	DLA PIPER LLP DAVID PRIEBE	
17			2000 University Avenue	
18			East Palo Alto, CA 94303	
19			Py /s/ David Pricha	
20			By /s/ David Priebe Attorneys for Defendants Qualcomm Incorporated	
21	and T Merger Sub, Inc.		and I Weiger Sub, Inc.	
22	ATTESTATION OF FILER			
23	Pursuant to General Order No. 45, Section X. Subparagraph B, the undersigned			
24	attests that all parties have concurred in the filing of this "Stipulation And [Proposed] Order			
25	For Dismissal Of Action."			
26	Dated: June 1	12, 2012	By <u>/s/ David M. Furbush</u>	
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1	<u>ORDER</u>
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3	PURSUANT TO STIPULATION, IT IS SO ORDERED.
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5	Dated:
6	THE HONORABLE LUCY H. KOH
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